

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

MINERVA INDUSTRIES, INC.,

Plaintiff,

v.

MOTOROLA, INC., et al.

Defendants.

AND RELATED COUNTERCLAIMS.

**Civil Action No: 2:08-cv-21**

**The Honorable T. John Ward  
United States District Judge**

**NOTICE OF FILING OF AGREED MOTION TO CONSOLIDATE**

TO THE COURT, ALL PARTIES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE that on August 13, 2008, Plaintiff Minerva Industries, Inc. filed an Agreed Motion to Consolidate in the matter of *Minerva Industries, Inc. v. Motorola, Inc., et al.*, Civil Action No. 2:07-cv-229, requesting that this Court consolidate the above-captioned case entitled *Minerva Industries, Inc. v. Motorola, Inc., et al.*, Civil Action No. 2:08-cv-21 with cases captioned *Minerva Industries, Inc. v. Motorola, Inc., et al.*, Civil Action No. 2:07-cv-229; *Minerva Industries, Inc. v. Research in Motion Corporation, et al.*, Civil Action No. 2:07-cv-230; and *Minerva Industries, Inc. v. Research in Motion Corporation, et al.*, Civil Action No. 2:08-cv-20, all currently pending in this Court before The Honorable T. John Ward. Attached hereto, as Exhibit A, is a true and correct copy of the Agreed Motion to Consolidate,

along with the parties' Consents to Consolidate and Proceed before United States Magistrate Judge.

Dated: August 13, 2008

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on August 13, 2008. Any other counsel of record will be served via First Class U.S. Mail on this same date.

By: /s/ Marc A. Fenster  
Marc A. Fenster